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| APPLICATION NO.         | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|-------------------------|---------------------|------------------|
| 09/667,434              | 09/22/2000  | Marc Etienne Bonneville | AP628US             | 9404             |
| 7590                    | 03/22/2006  |                         |                     |                  |
|                         |             |                         | EXAMINER            |                  |
|                         |             |                         | MICHALSKI, JUSTIN I |                  |
|                         |             |                         | ART UNIT            | PAPER NUMBER     |
|                         |             |                         | 2615                |                  |
| DATE MAILED: 03/22/2006 |             |                         |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                  |                          |
|------------------------------|------------------|--------------------------|
| <b>Office Action Summary</b> | Application No.  | Applicant(s)             |
|                              | 09/667,434       | BONNEVILLE, MARC ETIENNE |
|                              | Examiner         | Art Unit                 |
|                              | Justin Michalski | 2644                     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 January 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24,30-32,38-55 and 65-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 2-24,30-32,38-55,65 and 68-75 is/are allowed.
- 6) Claim(s) 1,66 and 67 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 January 2006 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noro (US Patent 5,297,211) in view of Lamb et al. ("Lamb") (US Patent 6,448,348).

Regarding Claim 1, Noro discloses an apparatus (Fig. 6) comprising an audio distribution unit having means for providing audio signal from audio sources and output ports (220 and 222) for supplying sets of audio transducers (116 and 118), each said set comprising at least a first audio transducer and a second audio transducer and having associated therewith at least one remote unit (120) for controlling the audio distribution unit my means of digital data signals (115), the first and second audio

transducers and the remote unit being connected to the audio distribution unit by a set of four conductors (output of 220 and 222), the apparatus further comprising means for supplying audio signal to each of the audio transducers by way of a respective pair of said four conductors and transferring power data signal between said audio distribution unit and said remote unit by way of at least two of said four conductors (it is inherent that audio signals from ports 220 and 222 to speakers 116 and 118 will contain power in order to drive the loudspeaker). Noro does not disclose transferring said digital between the audio distribution unit and remote by way of at least two of said four conductors. Lamb discloses transmission of both power and digital data over a single line in order to minimize the number of conductors used (Col. 2, lines 19-49). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit both digital data and power over the same line in order to reduce the number of conductors used for space and cost savings.

Regarding Claim 66, Noro further discloses a distributed audio system with a remote control (Fig. 2, remote 260) that transmits infrared signals to receiver 20.

Regarding Claim 67, it is notoriously well known in the art that microphones can be used to create audio signals. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to using a microphone to create audio signals.

***Allowable Subject Matter***

4. Claims 4-24, 30-32, 38-55, 65, and 68-75 allowed.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Michalski whose telephone number is (571)272-7524. The examiner can normally be reached on M-F 7-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571)272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JIM  
  
March 17, 2006

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600